

REMARKS

This responds to the Final Office Action mailed on January 13, 2009.

Claim 16 is amended, no claims are canceled, and no claims are added; as a result, claims 16-20 are now pending in this application. The amendments are fully supported by the current application (e.g., at page 10, par. 34; and pages 11-12, par. 37) and add no new matter.

Interview Summary

Applicants thank Examiner Mark Fadok for the courtesy of a telephone interview on January 16, 2009 with Applicants' representative Ali Miresghhi. During the interview, the cited references and the finality of the action were discussed. The Examiner pointed out that the additional reference Walker is missing from the heading of the rejection of claims 16-20.

§112 Rejection of the Claims

Claim 16 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

The Final Office Action, in rejecting claim 16 contends that the phrase "such that the interaction appears as being directly from the sender" is indefinite. Claim 16 has been amended to remove this language. Claim 16, as amended, now reads, "*interacting with an on-line interface hosted by the shipping vendor, as if an individual user is accessing the on-line interface.*" As such, the amended claim 16 particularly points out and distinctly claims the subject matter of the claim.. Thus, Applicants respectfully submit that claim 16 is definite and request that the claim rejection under 35 U.S.C. § 101, second paragraph, be reconsidered, in light of the amendment, and withdrawn.

§103 Rejection of the Claims

Claims 16-20 were rejected under 35 U.S.C. § 103(a) as being obvious over Shiloh (U.S. Publication No. 2001/0037316) and further in view of Lussow et al. (U.S. Publication No. 2001/0037316, hereinafter, "Lussow").

For at least the reasons set forth below, Applicants respectfully submit that, in light of the amendments, the identified claims are patentable over Shiloh in view of Lussow and Walker.

Claim 16, as amended, now recites, in pertinent part:

performing operations, by the integrated shipping server, including:
 registering the sender with the shipping vendor based on the shipping
information and arranging for the shipment of the package, as the sender's proxy.
(Emphasis added throughout.)

The Final Office Action, at page 5, in rejecting claim 16, when discussing the previous claim 16 limitation of “the shipping vendor to register the sender with the shipping vendor,” concedes that the combination of Shiloh and Lussow does not teach the limitation. Instead the Final Office Action, in an attempt to show the limitation, relies on FIG. 4 in Walker for support. Walker provides a collectible conditional purchase offer (CPO) management system for receiving and processing individual CPOs from buyers for one or more collectibles.¹ Walker in “FIG. 4 illustrates an exemplary seller database . . . which preferably stores information on each seller which is registered with the collectible CPO management system.” However, FIG. 4 does not even suggest “*by the integrated shipping server . . . registering the sender with the shipping vendor. . . and arranging for the shipment of the package via the shipping vendor, as the sender's proxy,*” as required by the amended claim 16. As such, Shiloh, Lussow, and Walker, individually or in the combination do not teach or suggest the limitation of “*registering the sender with the shipping vendor using the shipping information and arranging for shipment of the package via the shipping vendor, as the sender's proxy,*” as recited in the amended claim 16.

The amended claim 16 further recites, “interacting with an on-line interface hosted by the shipping vendor, as if an individual user is directly accessing the on-line interface.” Shiloh, at paragraph 0085, describes “a virtual interface provided to a user upon logging on to the AVPP Internet site.”² “The user is then presented with an interface allowing the user to perform functions specific to the AVPP Internet site, as well as to access Internet sites.”³ Shiloh in paragraph 0090 provides that the user purchases a product from an e-tailer and the e-tailer prepares the product for shipping and the shipping company identifies that the shipment as being for a user of the AVPP system:

¹ Walker, Abstract

² Shiloh, paragraph 0085

³ Id.

user 30 may wish to purchase from the e-tailer goods that require shipping, such as a book or toaster. The user interacts with the e-tailer in a known manner. . . . the e-tailer prepares the product for shipping at the optimal dispatch site The shipping company which preferably operates or is associated with the AVPP real world site organization . . . identifies the shipment as being for a user of the AVPP system.⁴

The AVPP (Anonymous Virtual Personality Provider) in Shiloh may handle the shipping or may hire a third party: "the AVPP may include a shipping division . . . Alternatively, the AVPP may contract with a trusted third party to handle the shipping . . . The third party shipper may obtain the real user's shipping address from an organ of the AVPP directly."⁵ In either case, whether using its own shipping division or contracting with a trusted third party, unlike the *integrated shipping server* recited in the amended claim 16, the AVPP in Shiloh **does not interact with an on-line interface hosted by the shipping vendor as if an individual user is directly accessing the on-line interface**. As such, Shiloh, separately or in any combination, does not describe the limitation of "*interacting with an on-line interface hosted by the shipping vendor , as if an individual user is directly accessing the on-line interface,*" as recited in the amended claim 16.

Lussow provides systems, methods and computer-readable media that "can be used to charge the cost of shipment of a package to an appropriate cost center and sub-category thereof through the use of a procurement card."⁶ In review of the disclosures of Lussow, Applicants did not find any passage that teaches or suggests the limitations that Applicants showed above to be missing from Shiloh and Walker. Therefore, Shiloh, Lussow, and Walker, individually or in the combination proposed by the Final Office Action, fail to teach or suggest each and every element of the amended claim 16.

Accordingly, there are substantial differences between the claimed subject matter of the amended claim 16 and the disclosures in the combination of Shiloh, Lussow, and Walker. Because the cited documents do not show all of the elements of the claimed subject matter of the amended claim 16, those differences are significant and non-obvious to a person of ordinary skill in the art at the time the application was filed. Furthermore, nothing in the disclosures of Shiloh,

⁴ Shiloh, paragraph 0090

⁵ Shiloh, paragraph 0032

⁶ Lussow, Abstract

Lussow, or Walker provide a reason for a person of ordinary skill in the art to seek to combine Shiloh, Lussow, and/or Walker in the manner suggested by the Final Office Action. Therefore, the Applicants respectfully submit that amended claim 16 and its dependent claims 17-20 are not rendered obvious by the combination of references suggested by the Final Office Action and are allowable. Thus, Applicants respectfully request that the claim rejections under 35 U.S.C. § 103(a) be reconsidered, in light of the amendments, and withdrawn.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' representative at (408) 278-4053 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

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Date March 12, 2009

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 13, 2009.

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